

Ch.eUNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Fidelity and Deposit Company of Maryland,
Plaintiff,
v.
F.A.S.T. Systems, Inc., et al.,
Defendants.

Case No. 2:13-cv-00861-JAD-CWH

**Order Adopting Report and
Recommendation and Entering Default
Judgment [ECF 18, 24]**

In September of 2014, plaintiff Fidelity and Deposit Company of Maryland moved for entry of default judgment against defendants Joshua T. McConnico and Kimberly McConnico [ECF 14]. I denied that motion without prejudice because Fidelity's motion did not discuss the *Eitel*¹ factors or cite the controlling authority [ECF 17]. The order gave Fidelity 30 days to file a properly supported motion for entry of default judgment — which it did [ECF 18]. The McConnicos never responded.

Magistrate Judge Hoffman then entered a Report and Recommendation on August 28, 2015, recommending that I grant Fidelity's renewed motion for entry of default judgment and that judgment be entered in favor of Fidelity against Joshua T. McConnico and Kimberly McConnico for \$2,472,692.71 [ECF 24]. Objections were due by September 14, 2015. None were submitted. The McConnicos are the only defendants in this action.²

"[N]o review is required of a magistrate judge's report and recommendation unless objections are filed." *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also* *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Accordingly, with good cause appearing and no reason for delay, it is HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Jude Hoffman's Report and Recommendation [ECF

¹ *Eitel v. McCool*, 782 F.2d 1470 (9th Cir. 1986).

² Although Fidelity sued F.A.S.T. Systems, Inc. in its original complaint, *see* ECF 1, the claim against F.A.S.T. was abandoned in the First Amended Complaint. *See* ECF 4.

1 **24]** is **ACCEPTED** and his findings and conclusions are adopted.

2 It is further ORDERED that plaintiff Fidelity and Deposit Company of Maryland's Renewed
3 Motion for Entry of Default Judgment [ECF 18] is **GRANTED**.

4 Final judgment is hereby entered in favor of plaintiff Fidelity and Deposit Company of
5 Maryland and against defendants Joshua T. McConnico and Kimberly McConnico, jointly and
6 severally, in the amount of \$2,472,692.71.

7 The Clerk of the Court is instructed to CLOSE THIS CASE.

8 DATED September 15, 2015.

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10 JENNIFER A. DORSEY
11 UNITED STATES DISTRICT JUDGE
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